

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SRU BIOSYSTEMS, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-201-SLR
)	
DOUGLAS S. HOBBS, JAMES J. COWAN, and)	
COHO HOLDINGS, LLC,)	
)	
Defendants.)	

**PLAINTIFF'S OBJECTIONS TO DEFENDANTS'
NOTICE OF TAKING DEPOSITION OF SRU BIOSYSTEMS, INC.**

Pursuant to Rule 30 of the Federal Rules of Civil Procedure, Plaintiff SRU Biosystems, Inc. ("SRU"), by and through its undersigned attorneys, hereby provides the following objections to the Notice of Taking Deposition of SRU Biosystems, Inc. served by Defendants.

GENERAL OBJECTIONS

SRU asserts each of the following General Objections to Defendants' Notice of Taking Deposition. In addition to these General Objections, SRU may also state specific objections to questions where appropriate. By setting forth such additional specific objections, SRU does not in any way intend to limit or restrict its General Objections. Moreover, to the extent SRU provides a witness to testify concerning any of the categories of Defendants' Notice, this shall not constitute a waiver of any General Objection or any other specific objection, and SRU reserves the right to state additional objections at the time of the deposition.

1. SRU objects generally to Defendants' Notice of Taking Deposition to the extent that the categories seek information protected from disclosure by the Attorney-Client Privilege, Attorney-Work Product Immunity or any other applicable privilege or immunity, including the contents of materials prepared in anticipation of litigation or for trial. Inadvertent disclosure of

any such information by deposition testimony shall not constitute a waiver of any privilege, and shall not waive the right of SRU to object to the use of any such testimony during this action.

2. SRU objects generally to the categories set forth in Defendants' Notice of Taking Deposition as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

3. SRU objects generally to Defendants' Notice of Taking Deposition to the extent that the categories seek to impose upon SRU any obligations or responsibilities beyond those mandated by the Federal Rules of Civil Procedure or the Local Rules of the United States District Court for the District of Delaware.

OBJECTIONS TO CATEGORIES

CATEGORY 1:

SRU's defenses to the plaintiff's counterclaims.

OBJECTIONS TO CATEGORY 1:

In addition to the foregoing General Objections, SRU objects to Category 1 as seeking deposition testimony regarding SRU's contentions. The practice of this Court is not to permit contention depositions. Accordingly, SRU will not designate a witness to testify as to this Category. Moreover, SRU objects to Category 1 as duplicative, overly broad and unduly burdensome. Defendants asked for the same information in Defendants' Interrogatory No. 22. SRU will provide the information requested in Category 1 of Defendants' Notice of Taking Deposition in response to Defendants' Interrogatory No. 22.

CATEGORY 2:

SRU's efforts to develop, make or sell a device/apparatus that detects the presence and/or concentration of matter on a surface by observation of a shift in wavelength of electromagnetic waves.

OBJECTIONS TO CATEGORY 2:

In addition to the foregoing General Objections, SRU objects to Category 2 as overly broad and unduly burdensome to the extent the category requires SRU to provide a witness to testify with respect to all efforts by SRU to develop, make or sell a device/apparatus that detects the presence and/or concentration of matter on a surface by observation of a shift in wavelength of electromagnetic waves. SRU further objects to this category to the extent that it fails to identify with reasonable particularity the subject(s) on which examination is requested. Accordingly, SRU will designate a witness to testify only to the extent it understands Defendants' request with regard to SRU's efforts to develop, make or sell a device/apparatus that detects the presence and/or concentration of matter on a surface by observation of a shift in wavelength of electromagnetic waves.

CATEGORY 3:

SRU's interactions with Douglas Hobbs.

OBJECTIONS TO CATEGORY 3:

See SRU's General Objections.

CATEGORY 4:

SRU's interactions w/ James Cowan.

OBJECTIONS TO CATEGORY 4:

See SRU's General Objections.

CATEGORY 5:

The negotiation, terms and enforcement of the memorandum of understanding with Douglas Hobbs.

OBJECTIONS TO CATEGORY 5:

See SRU's General Objections.

CATEGORY 6:

SRU's efforts to enter into a contract with Jim Cowan.

OBJECTIONS TO CATEGORY 6:

See SRU's General Objections.

ASHBY & GEDDES

/s/ Lauren E. Maguire

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Dated: January 20, 2006

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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of January, 2006, the attached **PLAINTIFF'S**
OBJECTIONS TO DEFENDANTS' NOTICE OF TAKING DEPOSITION OF SRU
BIOSYSTEMS, INC. was served upon the below-named counsel of record at the address and in
the manner indicated:

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/s/ Lauren E. Maguire

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